IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

S.B.CIVIL RESTORATION APPLICATION NO.320/2006.
IN
S.B.CIVIL SECOND APPEAL NO.69/1999.

Ramesh Chand.
VERSUS
Administrator, Nagarpalika & Others.

19.09.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.Mahendra Shandilya, for the applicant.

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A peremptory order was passed on 15.02.2005 allowing three weeks time to the appellant to file process fee and notices. The said order was passed in presence of the counsel for the appellant. The said order was peremptory in nature which provided that the appeal shall stand dismissed without reference to the court if the process fee and notices are not filed.

Since the process fee and notices were not filed, as per the report of the concerning Clerk and Stamp Reporter, the appeal was placed before the Deputy Registrar (Judl.) who dismissed the same in accordance with the court order dated 15.02.2005 on account of non-compliance vide order dated 26.05.2005.

The present application for restoring the appeal has been presented on 29.07.2006 i.e. after more than a year of the passing of order dated 26.05.2005 by the Deputy Registrar (Judl.).

An application for condonation of delay has been filed under Section 5 of the Limitation Act.

After perusing the same, I find that no sufficient cause is

made out for condonation of the delay of a period of more than one year.

In view of the above, the appeal under Section 5 of the Limitation Act as well as this restoration application stand dismissed.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.